

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

RAQUEL DEVEESE CONAWAY,

Debtor(s).

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Bk. No. **15-00663-RM3-13**
Chapter 13
Judge Randal S. Mashburn

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: October 28, 2019 IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: November 6, 2019 at 8:30 a.m. in Courtroom 1, 2 nd Floor Customs House, 701 Broadway, Nashville, Tennessee 37203
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TRUSTEE'S OBJECTION TO DEBTOR'S APPLICATION TO SET ASIDE DISMISSAL

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully objects to the application filed by the debtor seeking to set aside this Court's order of September 26, 2019.

By virtue of this Court's order of November 9, 2017, the debtor's Chapter 13 plan was placed "on probation" requiring payments of \$285.75 every two weeks.

The debtor did not comply with the modified plan and the Trustee submitted the order dismissing the case as a result of the debtor's nonpayment, acknowledged in the debtor's motion.

The debtor does not receive full pay in the summer months and does not set aside funds adequate to cover the payments to the Trustee. Accordingly, the Chapter 13 plan is not feasible.

The debtor's plan is currently in arrears by more than \$2,500 and the debtor has provided no mechanism by which this default will be cured.

WHEREFORE, THE PREMISES CONSIDERED, the Trustee objects to the debtor's Motion to Set Aside this Court's order dismissing the debtor's case.

Respectfully submitted,

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019
615-244-1101; Fax 615-242-3241
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 23rd day of October, 2019, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee
Long Burnett & Johnson, Counsel for Debtor

By U. S. Postal Service, postage prepaid to:

Raquel D. Conaway, 1417 East Sharpe Avenue, Nashville, TN 37206

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee